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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,052	01/21/2004	Scott Papineau	1830A	4469

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EXAMINER

GARY, ERIKA A

ART UNIT PAPER NUMBER

2681

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/762,052

Applicant(s)

PAPINEAU, SCOTT

Examiner

Erika A. Gary

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 8 and 15 are objected to because of the following informalities:  
"comprises" should be added after the first occurrence of "MIDlet". Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9, 11-13, and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Lonnfors et al., US Patent Application Publication Number 2004/0186918 (hereinafter Lonnfors).

Regarding claims 1, 2, 12, and 13, Lonnfors discloses a method (and computer readable medium) for push launching applications with context on a mobile information device, comprising: receiving on the mobile information device a push message that includes a URI; launching a Java MIDlet on the mobile information device to handle the URI; and passing the URI to the Java MIDlet [paragraphs 0044-0052].

Regarding claims 3 and 4, Lonnfors suggests determining a type or scheme of the URI and determining based on the type or scheme that the Java MIDlet is registered to handle the URI [paragraph 0049].

Regarding claim 5, Lonnfors suggests determining a scheme of the URI and additional scheme specific information of the URI; and determining based on the scheme and the additional scheme specific information that the Java MIDlet is registered to handle the URI [paragraph 0049].

Regarding claim 6, Lonnfors discloses the scheme is "ams:" or "midlet:" [paragraph 0049].

Regarding claim 7, Lonnfors discloses the push message is received from a universal message handler executing on the mobile information device [paragraph 0049].

Regarding claims 8 and 15, it is inherent in the art that passing the URI to the Java MIDlet comprises passing the URI to the Java MIDlet via at least one of `getMediaType ( )`, `getContentType( )`, `getMuglet( )`, `getReferringURI( )` and `getURI( )` object-oriented methods.

Regarding claims 9 and 16, Lonnfors discloses the Java MIDlet is a Java 2 Micro Edition (J2ME) MIDlet [paragraph 0045].

Regarding claims 11 and 17, Lonnfors discloses the mobile information device is a mobile phone, a personal digital assistant or a two-way pager [paragraph 0021].

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lonnfors in view of Gibbons et al., US Patent Application Publication Number 2004/0034853 (hereinafter Gibbons).

Regarding claims 10 and 14, Gibbons discloses the push message is a WAP service indication message or a WAP service loading message [paragraph 0077]. Further regarding claim 14, Gibbons teaches prompting a user of the mobile information device for permission to launch the application and launching the application after receiving the user permission [paragraphs 0077, 0078].

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Lonnfors to include Gibbons. The motivation for this combination would have been to specifically include WAP Push protocol which is well known in the art.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goldstein et al., US Patent Application Publication Number 2004/0152457, disclose a method and apparatus for automatic detection and installation of Java-enabled accessories.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG  
October 12, 2005

  
ERIKA A. GARY  
PRIMARY EXAMINER